

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

TONY NELSON,

Plaintiff,

vs.

No. CIV 10-0553 JB/DJS

BOARD OF COUNTY COMMISSIONERS  
OF THE COURT OF BERNALILLO,  
CITY OF ALBUQUERQUE, a political  
subdivision of the STATE OF NEW MEXICO,  
DERRICK WULFF, JONATHAN SATHER,  
ROBERT T. JOHNSTON, an Officer of the  
Albuquerque Police Department, Individually,  
DANIEL HUGHS, an Officer of the Albuquerque  
Police Department, Individually,  
ARMANDO LIMON, an Officer of the Albuquerque  
Police Department, Individually,  
SCOTT WEIMERSKIRCH, an Officer of the  
Albuquerque Police Department, Individually,  
and JOHN AND JANE DOES 1-X,  
an Officer of the Albuquerque Police Department,  
Individually,

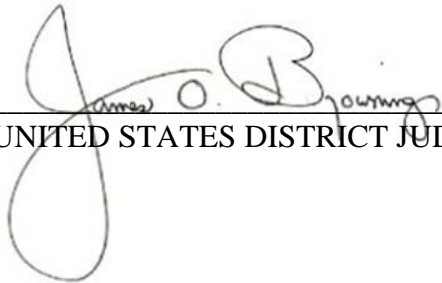
Defendants.

**ORDER**

**THIS MATTER** comes before the Court on the Defendants' Rule 50(b) Motion, and Memorandum in Support, Requesting for the Judgment on the Jury Verdict to Stand; to Find Defendants Have Qualified Immunity; and to Enter Judgment as a Matter of Law in Favor of Defendants, filed July 26, 2012 (Doc. 201). The Court will grant the motion in part and deny it in part.

**IT IS ORDERED** that the Defendants' Rule 50(b) Motion Requesting for the Judgment on the Jury Verdict to Stand; to Find Defendants Have Qualified Immunity; and to Enter

Judgment as a Matter of Law in Favor of Defendants, filed July 26, 2012 (Doc. 201), is granted in part and denied in part.<sup>1</sup>

  
UNITED STATES DISTRICT JUDGE

*Counsel:*

Justin A. Gonzalez  
Justin P. Pizzonia  
Gonzalez & Pizzonia, LLC  
Albuquerque, New Mexico

-- and --

Sharon B. Hawk  
Hawk Law, P.A.  
Placitas, New Mexico

*Attorneys for Plaintiff Tony Nelson*

Agnes F. Padilla  
Butt Thornton & Baehr, P.C.  
Albuquerque, New Mexico

*Attorney for the Defendant Board of County Commissioners of the County of Bernalillo*

Robert J. Perry  
David Tourek  
City Attorneys  
Stephanie M. Griffin  
Tarra Leigh Hoden  
Assistant City Attorneys  
City Attorney's Office  
Albuquerque, New Mexico

*Attorneys for the Defendant City of Albuquerque, Derrick Wulff, Jonathan Sather,  
Robert T. Johnston, Daniel Hughs, Armando Limon, and Scott Weimerskirch*

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<sup>1</sup> This Order disposes of the motion. The Court will, however, at a later date issue an opinion more fully detailing its rationale for this decision.